

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MITCHELL DIXON, JR.,

Plaintiff,

v.

SACRAMENTO SUPERIOR COURT, et
al.,

Defendants.

No. 2:21-cv-1510 AC P

ORDER AND FINDINGS AND
RECOMMENDATIONS

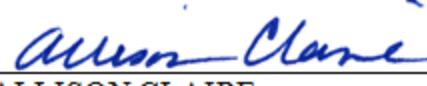
Plaintiff, a county inmate proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. By order filed September 13, 2021, plaintiff was given thirty days to file a completed application to proceed in forma pauperis and a certified copy of his inmate trust account statement for the six-month period immediately preceding the filing of the complaint. ECF No. 4. He was warned that failure to do so would result in a recommendation that this action be dismissed without prejudice. Id. In response, plaintiff filed an application to proceed in forma pauperis but did not provided the required trust account statement. ECF No. 5. Plaintiff was then provided an additional thirty days to submit a certified copy of his inmate trust account statement and warned that failure to comply would result in a recommendation that this action be dismissed. ECF No. 6. Thirty days have now passed and though plaintiff has filed a first amended complaint, ECF No. 8, he has not submitted a certified copy of his inmate trust account statement.

1 In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is
2 directed to assign a district judge to this case.

3 IT IS FURTHER RECOMMENDED that this action be dismissed without prejudice.

4 These findings and recommendations are submitted to the United States District Judge
5 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
6 after being served with these findings and recommendations, plaintiff may file written objections
7 with the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings
8 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
9 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153
10 (9th Cir. 1991).

11 DATED: December 17, 2021


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

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